

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew H. Fischer
Serial No.: 10/775,767
Confirmation No.: 8715
Filed: February 10, 2004
For: METHOD AND APPARATUS FOR PREPARING CELLS FOR
MICROTOME SECTIONING AND ARCHIVING NUCLEIC ACIDS
AND PROTEINS
Examiner: W. H. Beisner
Art Unit: 1744

INTERVIEW SUMMARY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicant's representative, Walt Norfleet and Jason Honeyman, acknowledge the courtesies extended by Examiner Beisner during the November 28, 2007 interview.

During the interview, each of independent claims 1, 38, 53, and 79 were discussed with respect to Shiina (JP 2000-146782) and Kok (U.S. 4,656,047). In particular, Applicant's representatives pointed out that Shiina discloses a system for automated fixing of cellular samples and not forming an embedded cell block, as recited in independent claims 1, 38, 53, and 79, and that then, of course, Shiina also does not disclose or suggest flowing an embedding solution through a cell sample. Moreover, there is no apparent reason as to why it would have been obvious to one of skill in the art to substitute an embedding solution, as taught by Kok, for a fixative solution of Shiina. Applicant's representative also pointed out that Shiina discloses manually placing a sample onto a filter, rather than automatically delivering a cell sample to a filter, as recited by independent claims 1 and 38. As indicated on the Interview Summary, agreement was reached that Applicant's arguments were persuasive and that the prior art rejections of record were overcome.

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: December 28, 2007

Respectfully submitted,

By /Walt Norfleet/
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